

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DENSON A. ROLLOCKS,

Plaintiff,

-against-

DISCOVER BANK FINANCIAL SERVICES,

Defendant.

23-CV-9590 (LTS)

Order Directing Payment of Fee or Amended
IFP Application

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff brings this action *pro se*. To proceed with a civil action in this Court, a plaintiff must either pay \$402.00 in fees – a \$350.00 filing fee plus a \$52.00 administrative fee – or, to request authorization to proceed without prepayment of fees, submit a signed *in forma pauperis* (“IFP”) application. *See* 28 U.S.C. §§ 1914, 1915.

Plaintiff submitted an IFP application but his responses do not establish that he is unable to pay the filing fees. Plaintiff states that he is presently not employed, and does not provide the date of his last employment. Plaintiff further states that he has no sources of income, and possesses no money or other assets. Plaintiff responded with “No” and “N/A” to every question about how he pays his expenses and how many dependents he has, and he also indicates that he has no credit card debts or financial obligations. Because Plaintiff does not fully answer the questions on the IFP application, and fails to provide information on how he pays for his living expenses, the Court is unable to conclude that he does not have sufficient funds to pay the relevant fees for this action.

Accordingly, within 30 days of the date of this order, Plaintiff must either pay the \$402.00 in fees or submit an amended IFP application. If Plaintiff submits the amended IFP application, it should be labeled with docket number 23-CV-9590, and address the deficiencies

described above by providing facts to establish that he is unable to pay the filing fees. If the Court grants the amended IFP application, Plaintiff will be permitted to proceed without prepayment of fees. *See* 28 U.S.C. § 1915(a)(1).

No summons shall issue at this time. If Plaintiff complies with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: November 3, 2023
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge